



~~July 15, 2003 CPC~~
October 21, 2003, CPC

STAFF'S
REQUEST ANALYSIS
AND
RECOMMENDATION

03SN0295

Omnipoint/T-Mobile

Midlothian Magisterial District
East line of West Huguenot Road

REQUEST: Conditional Use Planned Development to permit a communications tower with height exception in a Residential (R-15) District.

PROPOSED LAND USE:

A communications tower and associated improvements are planned. Specifically, the tower will be incorporated into the structure of an existing electrical transmission structure located on the property. The tower is proposed to be 121 feet high.

(NOTE: IN ORDER FOR THE PLANNING COMMISSION TO CONSIDER THIS REQUEST AT THEIR OCTOBER 21, 2003, MEETING, A \$130.00 DEFERRAL FEE MUST BE PAID PRIOR TO THE PUBLIC HEARING.)

RECOMMENDATION

Recommend approval for the following reasons:

- A. The proposal conforms to the Public Facilities Plan which suggests that communications tower locations should generally be located to minimize the impact on existing or planned areas of development and that energy and communications facilities should co-locate whenever feasible.
- B. Incorporating the communications facilities into an existing Dominion Virginia Power electrical transmission structure will eliminate the need for an additional

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freestanding communications tower in the area, thereby minimizing tower proliferation.

- C. Similar communications tower and Dominion Virginia Power structure co-locations have occurred throughout the County with no known adverse impacts on nearby development.
- D. The recommended conditions will further minimize the possibility of any adverse impact on area development, the County Communications System or the County Airport.

(NOTE: CONDITIONS MAY BE IMPOSED OR THE PROPERTY OWNER MAY PROFFER CONDITIONS.)

CONDITIONS

1. Any communications tower shall be co-located on utility structures. (P)
2. The tower and equipment shall be designed and installed so as not to interfere with the Chesterfield County Communications System. At the time of site plan review, the owner/developer shall submit information as deemed necessary by the Chesterfield County Communications and Electronics staff to determine if an engineering study should be performed to analyze the possibility of radio frequency interference with the County system, based upon tower location and height, and upon the frequencies and effective radiated power generated by tower-mounted equipment. Prior to release of a building permit, the study, if required, shall be submitted to and approved by the Chesterfield County Communications and Electronics staff. (GS)
3. The developer shall be responsible for correcting any frequency problems which affect the Chesterfield County Communications System caused by this use. Such corrections shall be made immediately upon notification by the Chesterfield County Communications and Electronics staff. (GS)
4. The color and lighting system for the tower shall be as follows:
 - a. The tower shall be gray or another neutral color, acceptable to the Planning Department.
 - b. The tower shall not be lighted. (P)
5. At such time that the tower ceases to be used for communications purposes for a period exceeding twelve (12) consecutive months, the owner/developer shall dismantle and remove the tower and all associated equipment from the property. (P)

6. Any building or mechanical equipment shall comply with Section 19-603 of the Zoning Ordinance relative to architectural treatment of building exteriors and screening of mechanical equipment. (P)

(NOTE: Section 19-603 would require the screening of mechanical equipment located on the building or ground from adjacent properties and public rights of way. Screening would not be required for the tower or tower-mounted equipment.)

7. In conjunction with approval of this request, a seventy-one (71) foot exception to the fifty (50) foot height limitation for communications towers in a residential district shall be granted. (P)

GENERAL INFORMATION

Location:

East line of West Huguenot Road, north of Scherer Drive. Tax ID 757-722-Part of 1650 (Sheet 3).

Existing Zoning:

R-15

Size:

0.1 acre

Existing Land Use:

Dominion Virginia Power transmission line

Adjacent Zoning and Land Use:

North and West - City of Richmond

South - R-15; Single family residential

East - R-7; Dominion Virginia Power easement

UTILITIES

The proposed use will not necessitate a manned facility; therefore, the use of the public water and wastewater systems is not required.

ENVIRONMENTAL

Drainage and Erosion:

If construction of the communications tower requires more than 2500 square feet of land disturbance, to include the access road, a land disturbance permit will be required by the Environmental Engineering Department.

PUBLIC FACILITIES

Fire Service:

The Buford Road Fire Station, Company Number 9, and Forest View Volunteer Rescue Squad currently provide fire protection and emergency medical service (EMS). This request will not impact fire and EMS service.

Transportation:

The proposed development (communications tower) will have a minimal impact on the existing transportation network.

COUNTY COMMUNICATIONS

The Zoning Ordinance requires that any structure over eighty (80) feet in height be reviewed by the County's Public Safety Review Team for potential detrimental impacts the structure could have on the County's Radio Communications System microwave paths. This determination must be made prior to construction of the communications tower.

A preliminary review of this proposal has indicated that the facility will not interfere with the County's communications system; however, as a further precaution, if this request is approved, a condition should be imposed to ensure that the tower is designed and constructed so as not to interfere with the County Communications System (Condition 2). Once the tower is in operation, if interference occurs, the owner/developer should be required to correct any problems. (Condition 3)

COUNTY AIRPORT

A preliminary review of this proposal indicates that, given the approximate location and elevation of the proposed installation, it appears there will be no adverse affect on the County Airport.

LAND USE

Comprehensive Plan:

The request property lies within the boundaries of the Bon Air Community Plan which suggests the property is appropriate for low density residential use.

The Public Facilities Plan, an element of the Comprehensive Plan, suggests that energy and communications uses should be co-located, whenever feasible, to minimize impacts on existing and future areas of development.

Area Development Trends:

Adjacent properties are zoned Residential (R-15) or located within the boundaries of the City of Richmond. Properties are occupied by single family residential uses and a Virginia Power transmission line easement. It is anticipated that single family residential uses will continue in the area, as suggested by the Bon Air Community Plan.

Dwellings within 2,000 feet of the tower, and are located in Chesterfield County, are shown on the Attachment. It is important to note that residential structures on this map were placed according to aerial photographs taken in 1994 and therefore may not fully represent all the structures in the area.

Zoning History:

A similar request was submitted on this site in 1996 (Case 97SN0152). The applicant for Case 97SN0152 subsequently found an alternate site and the application was withdrawn prior to the conduct of any public hearing.

Development Standards:

The request property lies within a Post Development Area. The development standards are intended to promote the renovation and improvement of areas that have already experienced development. However, because the request property is zoned Residential (R-15), development is not required to meet the development standards for Post Development Areas. A condition should be imposed to require compliance with Post Development Area requirements relative to the architectural treatment of the proposed equipment building. (Condition 6)

As noted herein, the request property is occupied by Dominion Virginia Power electrical transmission structures. The proposed communications tower will be located within one (1) of these transmission structures (Condition 1). Access to the tower site will be via an existing driveway and easement to West Huguenot Road. Due to the proximity to West Huguenot Road, the communications tower should be gray or another neutral color so as

to minimize the visual impact on motorists traveling along the roadway and should not be lighted. (Condition 4)

Consistent with past actions on similar facilities and to ensure that the tower does not become a maintenance problem or an eyesore, the tower should be removed at such time that it ceases to be used for communications purposes. (Condition 5)

CONCLUSIONS

The Public Facilities Plan suggests that communications towers should be located to minimize the impact on existing or planned areas of development and that energy and communications facilities should co-locate whenever feasible. The communications tower will be incorporated into an existing permitted Dominion Virginia Power electrical transmission structure. The addition of the communications facilities into the structure of the existing transmission tower does not generate a visual impact that is significantly greater than the visual impact of the existing Dominion Virginia Power electrical transmission tower. This co-location will eliminate the need for an additional freestanding communications tower in the area, thereby minimizing tower proliferation. In addition, the recommended conditions will further minimize the possibility of any adverse impact on area development, as well as on the County Communications System or the County Airport.

Given these considerations, approval of this request is recommended.

CASE HISTORY

Planning Commission Meeting (7/15/03):

At the request of the applicant, the Commission deferred this case to October 21, 2003, to allow time to address concerns raised by area citizens.

Staff (7/16/03):

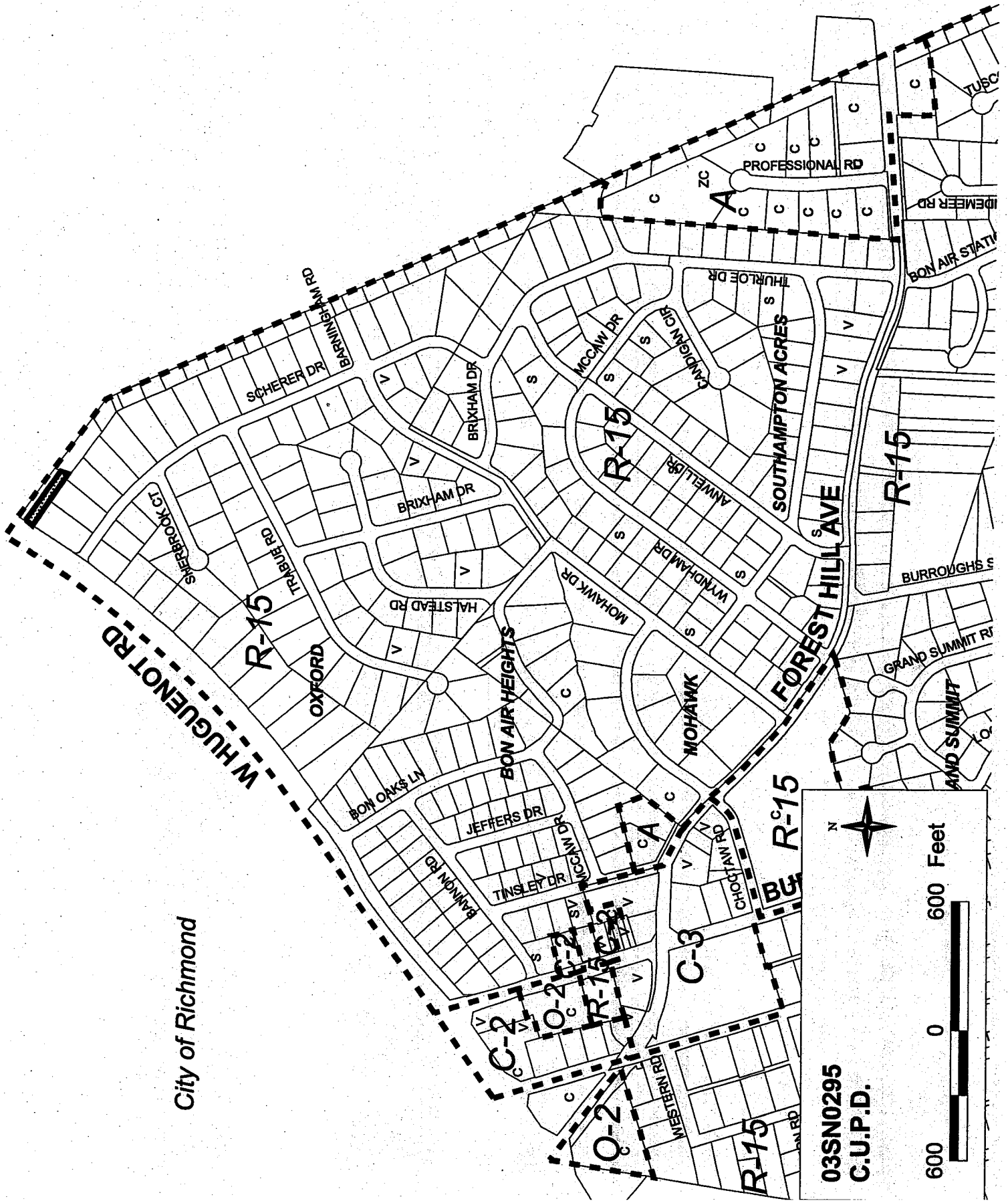
The applicant was advised in writing that any significant new or revised information should be submitted no later than August 18, 2003, for consideration at the Commission's October 21, 2003, public hearing.

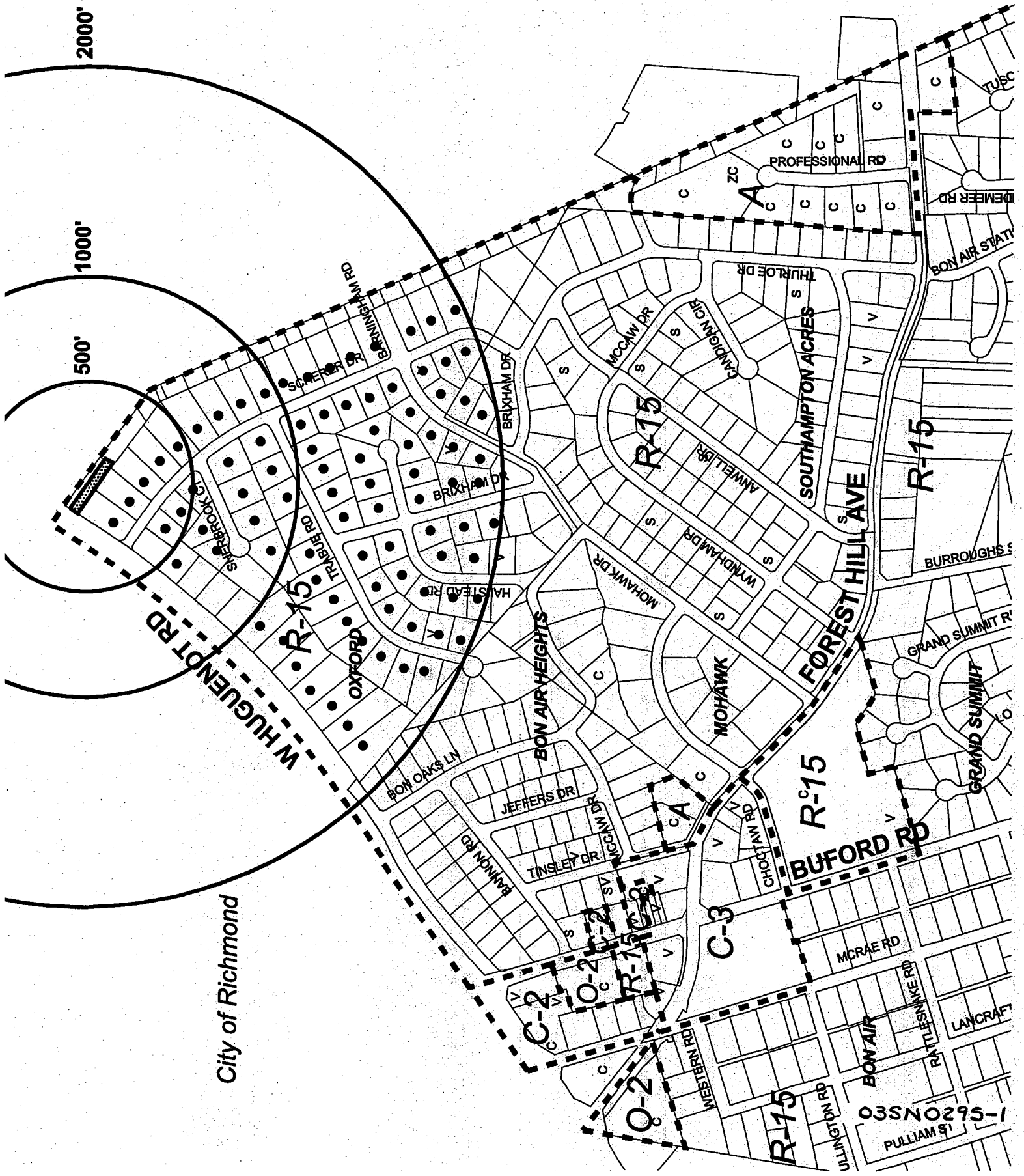
Also, the applicant was advised that a \$130.00 deferral fee must be paid prior to the Commission's public hearing.

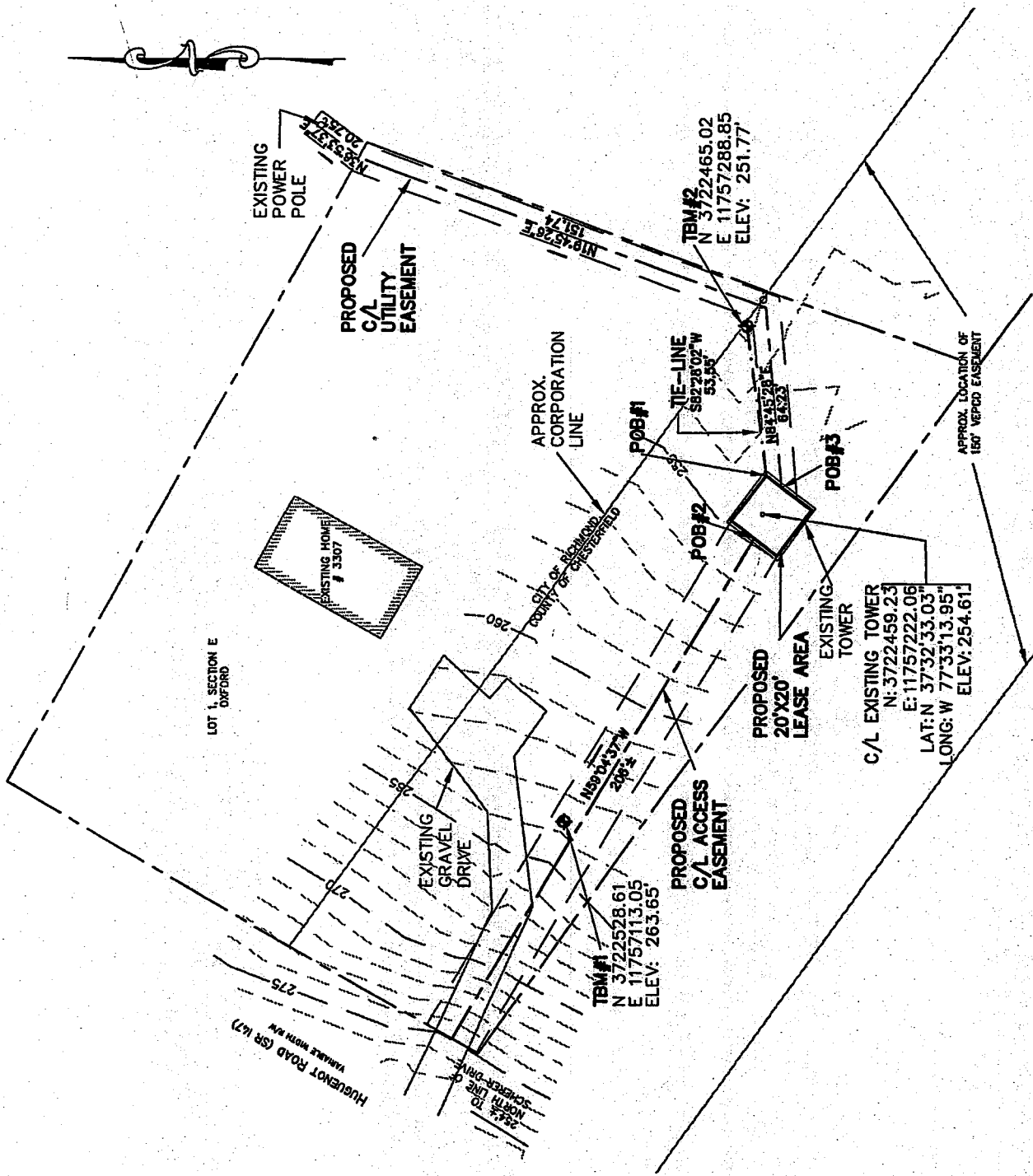
Staff (9/29/03):

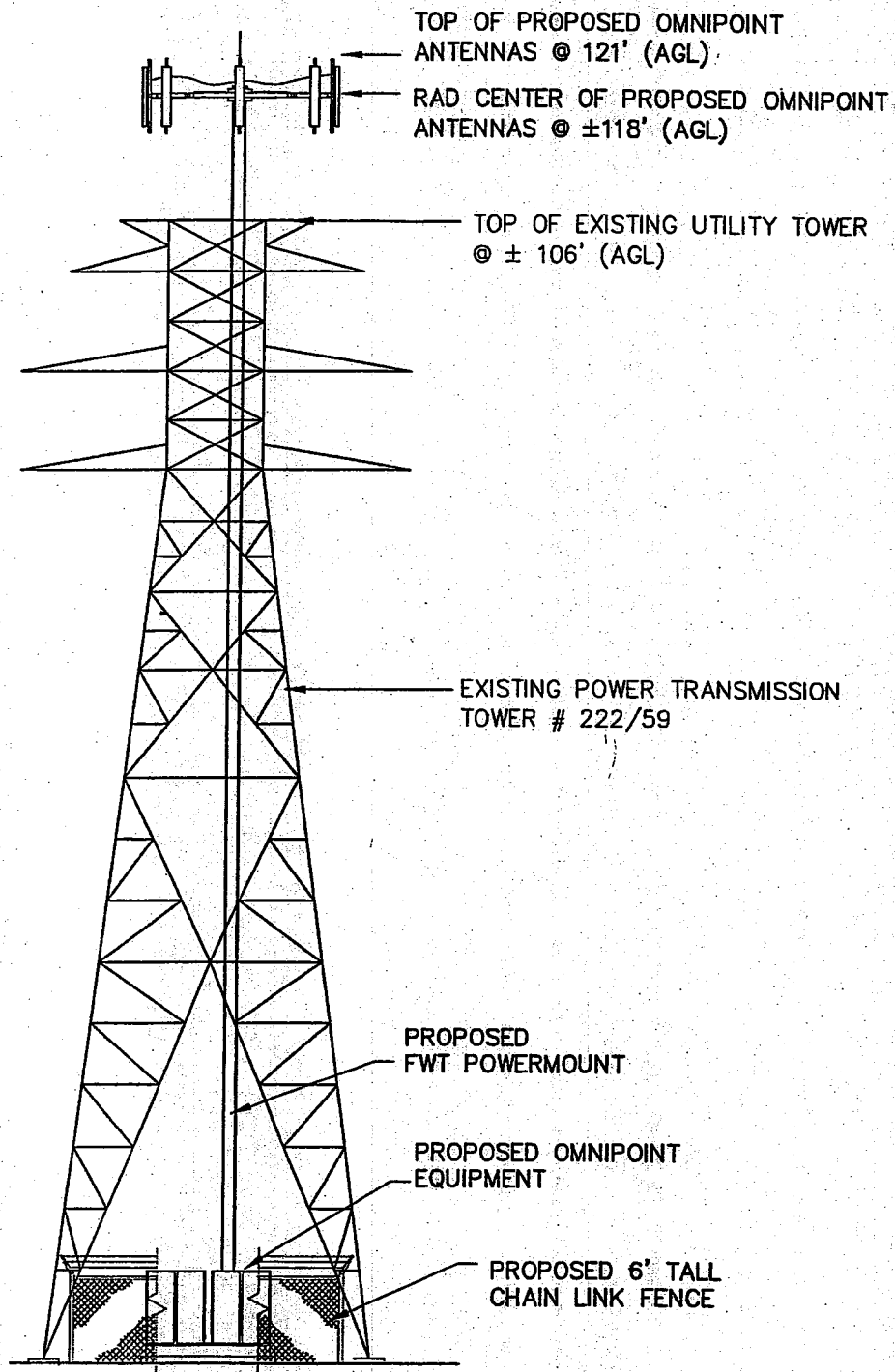
To date, no new information has been received, nor has the deferral fee been paid.

City of Richmond









1 TOWER ELEVATION
C2 NOT TO SCALE